

Remarks/Arguments

Applicants thank the Examiner for his careful consideration of this application.

Applicants also thank the Examiner for the personal interview with Applicants' undersigned representative, conducted on January 22, 2008, at which the Examiner discussed the proposed amendments above. Reconsideration of this application is respectfully requested in view of the amendments above and the remarks to follow.

Claims 6, 7, 11, and 13-20 are currently pending, with Claims 6 and 14 being independent. Claims 6 and 14 have been amended.

At pages 2-4, the Office Action rejects Claims 6-7, 11 and 13-20 under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 6,590,928 (Haartsen). These rejections are respectfully traversed for at least the following reasons.

Claim 6 includes the recitation that the first wireless communication circuitry is configured to "perform, automatically, without user intervention, at least one operation selected from the group consisting of: transmitting a find message to determine if an object is within range, the find message including an address from the list of wireless device addresses; and receiving a find message used to determine if an object is within range, the find message including an address from the list of wireless device addresses."

At page 3, the Office Action concedes that Haartsen fails to disclose the "find message"-related features as claimed. The present Office Action, however, asserts that users communicating via text messaging in a cellular telephone system is the equivalent of the claimed find messages. Applicants respectfully disagree.

The term, "find message," is not a term of art, so one should consult Applicants' specification to understand its meaning. This meaning is reflected, for example, in

paragraph [10114] (which, in the published application, corresponds to paragraph [0142]), where find messages are discussed in the context of “a find feature that permits a handset to locate objects, including other wireless handsets, that are within range.” This is similarly discussed in several locations in paragraphs [1029] ff. That is, a find message may be used to implement a find feature to locate objects within range.

Applicants first note that text messaging is an application that occurs between users, not between handsets. Furthermore, text messaging does not determine if another object is within range, as a handset in a cellular communication system may receive a text message asking the user where (s)he is, and the handset may still be out of communication range (in other words, for example, in cellular communication systems, a handset may be in a remote location and receive text messages via a backbone network connecting the users’ cells or networks; the handset would not then be within range).

While Applicants believe that the above discussion provides sufficient reasons to distinguish over the cited reference, in order to advance prosecution of this application, Applicants have opted to amend Claim 6 to specify that the transmission and/or reception of find messages is performed “automatically, without user intervention.” In contrast, text messaging, as discussed in the Office Action, cannot happen automatically, without user intervention.

For at least these reasons, it is respectfully submitted that Claims 6, 7, 11, and 13 (as amended) are allowable over the cited references.

Claims 14-20 remain pending in this application, of which Claim 14 is an independent claim from which Claims 15-20 depend. Claim 14 has now been amended in a similar fashion to Claim 6, as discussed above (Claim 14 has also been amended to

recite that the find message is to be transmitted using a signal whose strength is approximately the same as the first signal). Therefore, it is respectfully submitted that the above arguments are applicable to these claims, as well, and that Claims 14-20 are also allowable over the cited references for at least the same reasons.

Applicants may not have presented all possible arguments or have refuted the characterizations of either the claims or the prior art as found in the Office Action. However, the lack of such arguments or refutations is not intended to act as a waiver of such arguments or as concurrence with such characterizations.


Conclusion

Applicants believe that the above amendments and remarks address all of the grounds for rejection and place the application in condition for allowance. Applicants, therefore, respectfully request prompt and favorable consideration of this Response and reconsideration of this application.

If the Examiner believes, for any reason, that personal communication will expedite prosecution of this application, the Examiner is invited to telephone the undersigned at the number provided.

Respectfully submitted,

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